

12. CONSTRUCTION MATERIALS

In 1989, the NH Legislature amended RSA 674.2, the enabling statute that addresses the purpose and description of a master plan, to require information summarizing construction materials information if this information is required for the town's future planning. At a minimum, this information should include the location and estimated extent of excavation that has been granted permits under RSA 155, as well as reports filed pursuant to RSA 155-E:2I(d) with respect to non-permitted excavation.

As of this writing there are no excavation activities in Newton under the permit of RSA 155-E, nor have there been any. One permit was issued by the Planning Board, however, it was never activated.

The full application of RSA 674:2 VITI-a does not apply to Newton's Master Plan, as the Town of Newton Planning Board adopted excavation regulations in October of 1982, amended in November 1985. Town Meeting voted in March of 1988 to adopt under general provision, section XIII: 6 "no commercial excavation shall be permitted in any residential zone . Excavation shall be permitted where it is incidental to the lawful construction or alteration of a building or structure, parking lot, way or driveway."

EXISTING CONDITIONS AND INVENTORY

To address 155-E 2 I (d) for master plan purposes, the form of existing conditions as known and inventory is being used . There are five known sites of differing categories as follows :

1. Industrial/Commercial Zone:
Location: Adjacent to the Railroad tracks off Pond Street. Permit issued by Planning Board. Not used. Expired .
Status: No reclamation plan, abandoned .
2. Residential Zone:
Location: Off Amesbury Road area. No permit.
Status: unknown .
3. Residential Zone:
Location: Off Amesbury Road at Town Line. No permit. Owner directed to file reclamation plan with Selectmen or demonstrate use prior to regulations and current activity to justify grandfathering. Documentation was received that justified grandfathering .
Status: 155-E:2 applies
4. Residential Zone
Location: Off Bear Hill Road, behind horse farm off Amesbury Road in the Sargent Land area near Merrimac Town Line. No Permit.
Status: Owner directed to work with RCCD and file reclamation plan with town.
None to date.

5. Residential Zone:

Location: Southern tier of town across from Howard Lane, Merrimac Line.

Status: State & town closed off access. Abandoned.

RECOMMENDATIONS

The town must adhere to RSA 155-E and Newton's excavation regulations.